

and paying an old age pension to actual bona fide citizens of Texas over the age of sixty-five years who have not been convicted of a felony within ten years next prior to the granting of such pension and who have never been convicted of being an habitual criminal, etc.,

Has carefully compared same, and finds it correctly engrossed.

ALEXANDER, Acting Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 230, "An Act appropriating the sum of eleven hundred dollars (\$1100), or so much thereof as may be necessary, out of any moneys in the General Revenue Fund of this State, not otherwise appropriated, for the purpose of hiring two (2) additional stenographers for the Governor's office, together with necessary materials, etc., such appropriation to last throughout the current biennium, ending August 31, 1935, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 556, "An Act changing the time of holding the terms of the District Court in the Eighty-sixth Judicial District, and providing that all processes and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in counties composing said district, together with jurors heretofore selected, are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the end of their terms; providing that the County Attorney of Van Zandt

County shall represent the State in all criminal cases in said court and receive the same fees and compensation as is now provided by law for the County Attorney of Kaufman County; repealing all conflicting laws; fixing the effective date of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

FORTIETH DAY

(Continued)

(Wednesday, March 27, 1935)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following Senate bills and Senate joint resolution were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 324, to the Committee on Game and Fisheries.

Senate Bill No. 465, to the Committee on Education.

Senate Joint Resolution No. 9, to the Committee on Constitutional Amendments.

SENATE BILL NO. 146 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 146, A bill to be entitled "An Act to create the Department of Public Safety of the State of Texas; and the Public Safety Commission."

The bill was read second time.

By unanimous consent of the House, further consideration of Senate Bill No. 146 was postponed until next Wednesday.

SENATE BILL NO. 321 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 321, A bill to be entitled "An Act amending Sections 17, 18, 19, and 20, of Chapter 290, Acts of

the Forty-first Legislature, so as to provide for the creation of Union Junior College District where there are two or more contiguous independent school districts or two or more contiguous common school districts or a combination of one or more independent school districts with one or more common school districts of contiguous territory within the same county having a combined taxable wealth of not less than \$9,500,000, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 321 ON THIRD READING

Mr. Fuchs moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 321 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Adamson	Fitzwater
Adkins	Ford
Aikin	Fox
Alexander	Frazer
Alsup	Fuchs
Ash	Gibson
Atchison	Glass
Beck	Graves
Bergman	Gray
Bourne	Hanna
Bradbury	Hardin
Bradford	Harris of Archer
Broyles	Harris of Dallas
Burton	Hartzog
Butler of Brazos	Herzik
Butler of Karnes	Hodges
Cagle	Holland
Calvert	Hoskins
Canon	Howard
Clayton	Hunter
Collins	Hyder
Colquitt	Jackson
Cooper	James
Crossley	Jefferson
Daniel	Jones of Atascosa
Davis	Jones of Falls
Davison of Fisher	Jones of Runnels
Davisson	Jones of Shelby
of Eastland	Jones of Wise
Dickison	Keefe
Dunagan	King
Dunlap of Hays	Knetsch
Duval	Lange
Dwyer	Lanning
England	Latham
Fain	Leath
Farmer	Leonard
Fisher	Lindsey

Lotief	Rogers
Lucas	Russell
McCalla	Rutta
McConnell	Scarborough
McFarland	Shofner
McKinney	Smith
Moffett	Stinson
Moore	Stovall
Morrison	Tarwater
Morse	Tennyson
Nicholson	Thornton
Olsen	Tillery
Palmer	Waggoner
Patterson	Walker
Payne	Wells
Petsch	Westfall
Pope	Wood of Harrison
Quinn	Wood of Montague
Reed of Bowie	Worley
Reed of Dallas	Young
Riddle	Youngblood
Roark	

Absent

Caldwell	Lemens
Celaya	Luker
Colson	McKee
Cowley	Morris
Craddock	Newton
Dunlap of Kleberg	Padgett
Good	Roach of Angelina
Greathouse	Roane
Hankamer	Roberts
Hill	Settle
Hofheinz	Spears
Huddleston	Stanfield
Hunt	Steward

Absent—Excused

Head	Roach of Hunt
Mauritz	Venable
Reader	

The Speaker then laid Senate Bill No. 321 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—120

Adamson	Cagle
Adkins	Caldwell
Aikin	Calvert
Alexander	Canon
Alsup	Clayton
Ash	Collins
Atchison	Colquitt
Beck	Cooper
Bergman	Crossley
Bourne	Daniel
Bradbury	Davis
Bradford	Davison of Fisher
Broyles	Davisson
Burton	of Eastland
Butler of Brazos	Dickison
Butler of Karnes	Dunagan

Dunlap of Hays	Luker
Dwyer	McCalla
England	McConnell
Fain	McFarland
Farmer	McKee
Fisher	McKinney
Fitzwater	Moffett
Ford	Moore
Fox	Morris
Frazer	Morrison
Fuchs	Morse
Gibson	Newton
Glass	Nicholson
Graves	Olsen
Gray	Padgett
Hankamer	Patterson
Hanna	Payne
Hardin	Quinn
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Hartzog	Roark
Herzik	Rogers
Hodges	Russell
Holland	Rutta
Hoskins	Scarborough
Howard	Settle
Hunter	Shofner
Hyder	Smith
Jackson	Stanfield
James	Stinson
Jefferson	Stovall
Jones of Atascosa	Tarwater
Jones of Falls	Tennyson
Jones of Runnels	Thornton
Jones of Shelby	Tillery
Jones of Wise	Waggoner
Keefe	Walker
King	Wells
Knetsch	Westfall
Latham	Wood of Harrison
Leath	Wood of Montague
Leonard	Worley
Lindsey	Young
Lotief	Youngblood
Lucas	

Absent

Celaya	Lange
Colson	Lanning
Cowley	Lemens
Craddock	Palmer
Dunlap of Kleberg	Petsch
Duvall	Pope
Good	Riddle
Greathouse	Roach of Angelina
Hill	Roane
Hofheinz	Roberts
Huddleston	Spears
Hunt	Steward

Absent—Excused

Head	Roach of Hunt
Mauritz	Venable
Reader	

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 519

Mr. Hyder submitted the following conference committee report on House Bill No. 519:

Committee Room,
Austin, Texas, March 27, 1935.

Hon. Walter Woodul, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your committee appointed to adjust the differences between the House and Senate on House Bill No. 519, beg leave to report that we have considered the same, and recommend that it do pass in the form as attached hereto:

"H. B. No. 519,

A BILL

To Be Entitled

An Act making an appropriation of six thousand, five hundred dollars (\$6,500), to be used by the Secretary of State in paying the unpaid portion of the publication cost of certain constitutional amendments; one thousand, five hundred dollars (\$1,500) for postage and contingent to be used by the Secretary of State; five thousand dollars (\$5,000) for the Secretary of State's office to be used for compiling, editing, printing, indexing and distributing the General and Special Laws and for the distribution of the Journals of the Forty-fourth Legislature; also appropriating the sum of five hundred dollars (\$500) to be used by the State Industrial Accident Board to supplement traveling expenses; also appropriating the sum of nine hundred dollars (\$900) to be used by the State Department of Agriculture to pay salary and expenses of a weight inspector, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. The sum of six thousand, five hundred dollars (\$6,500), or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for the use of the Secretary of State in paying the unpaid portion of the publication cost of the constitutional amendments published during 1934. The sum of one thousand, five hundred dollars

(\$1,500), or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for postage and contingent to be used by the Secretary of State during the remainder of this fiscal year ending August 31, 1935; and the sum of five thousand dollars (\$5,000) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to be used by the Secretary of State in compiling, editing, printing, indexing and distributing the General and Special Laws of the Forty-fourth Legislature, and for the distribution of the Journals of the Forty-fourth Legislature.

Section 1-a. The sum of five hundred dollars (\$500), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, to be used by the State Industrial Accident Board to supplement the appropriation heretofore made for the fiscal year ending August 31, 1935, for traveling expenses.

Section 1-b. The sum of nine hundred dollars (\$900), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, to be used by the State Department of Agriculture, to pay the salary and expenses of a weight inspector to be employed and placed in the City of San Antonio, Texas, the salary not to exceed one hundred and fifteen dollars (\$115) per month. The amount appropriated is for the remainder of the fiscal year ending August 31, 1935.

Sec. 2. The fact that the State is indebted to the publishers of the constitutional amendments not only for a portion of the publication cost, but also because of their co-operation in publishing such amendments when the sum appropriated was insufficient to meet the total cost, and the fact that the publishers of said amendments have already waited several months for the payment of this just debt; the fact that the appropriation heretofore made for postage for the Secretary of State's office is practically exhausted; and the fact that there is an emergency demands the immediate appropriation of the other sums herein provided; and the fact that the balance remaining in the appropriation for compilation and distribution of the

laws is insufficient to pay the cost of compiling, indexing, printing and distributing the laws of the Forty-fourth Legislature, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

WOODRUFF,
REDDITT,
STONE,
BECK,
NEAL,

On the part of the Senate.

HYDER,
SPEARS,
TARWATER,
GOOD,
YOUNG,

On the part of the House.

On motion of Mr. Hyder, the report was adopted by the following vote:

Yeas—125

Adamson	Fitzwater
Adkins	Ford
Alexander	Fox
Alsup	Frazer
Ash	Fuchs
Atchison	Gibson
Beck	Glass
Bergman	Graves
Bourne	Gray
Bradbury	Greathouse
Bradford	Hankamer
Broyles	Hanna
Burton	Hardin
Butler of Brazos	Harris of Archer
Butler of Karnes	Harris of Dallas
Cagle	Hartzog
Caldwell	Hodges
Calvert	Hofheinz
Canon	Holland
Celaya	Hoskins
Collins	Howard
Colquitt	Huddleston
Colson	Hunter
Cooper	Hyder
Craddock	James
Crossley	Jefferson
Daniel	Jones of Atascosa
Davis	Jones of Falls
Davison of Fisher	Jones of Runnels
Davison	Jones of Shelby
of Eastland	Jones of Wise
Dunlap of Hays	Keefe
England	King
Fain	Knetsch
Farmer	Lange
Fisher	Lanning

Latham	Riddle
Leath	Roach of Angelina
Lemens	Roane
Lindsey	Roark
Lucas	Roberts
Luker	Russell
McCalla	Rutta
McConnell	Scarborough
McFarland	Settle
McKee	Shofner
McKinney	Smith
Moffett	Stanfield
Moore	Steward
Morris	Stovall
Morrison	Tarwater
Morse	Thornton
Newton	Tillery
Nicholson	Venable
Olsen	Waggoner
Padgett	Walker
Palmer	Wells
Patterson	Westfall
Payne	Wood of Harrison
Petsch	Wood of Montague
Quinn	Worley
Reed of Bowie	Young
Reed of Dallas	Youngblood

Nays—1

Aikin

Absent

Clayton	Hunt
Cowley	Jackson
Dickison	Leonard
Dunagan	Lotief
Dunlap of Kleberg	Pope
Duvall	Rogers
Dwyer	Spears
Good	Stinson
Herzik	Tennyson
Hill	

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

HOUSE BILL NO. 257 WITH SENATE AMENDMENTS

Mr. Padgett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 257, A bill to be entitled "An Act declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors, and processors of milk and milk products; defining certain terms used in the bill; providing for

the submission of code or codes to the milk control board by groups engaged in the milk industry in counties having a population in excess of 77,600 and less than 77,800, according to the Federal Census last preceding the time when said submission is made from said counties for the setting up of a code, codes, or agreements, etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Padgett moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Padgett, Stinson, Ford, Payne and Ash.

HOUSE BILL NO. 521 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 521, A bill to be entitled "An Act making better provision for the regulation of the sale and dealings in stocks, bonds, and securities in this State, including any share, stock, treasury stock, stock certificate under a voting trust agreement, collateral trust certificate, pre-organization certificate or receipt, subscription or re-organization certificate, note, bond, debenture, mortgage certificate or other evidence of indebtedness, any form of commercial paper, certificate in or under a profit sharing or participation agreement, certificate of interest in or under an oil, gas, or mining lease or title, or any certificate or instrument representing or secured by an interest in any or all of the capital, property, assets, profits or earnings of any company, investment contracts, or any other instrument commonly known as a security, whether similar to those herein referred to or not, and providing for the registration of certain persons and companies dealing in securities, this Act being a blue sky law superseding the present blue sky law of this State; etc., and declaring an emergency."

The bill was read second time.

Mr. Reed of Dallas offered the following committee amendments to the bill:

Amend House Bill No. 521, Section 30, line 20, by adding after "Secretary of State," the words: "At the end of the fiscal year any unused portion of said funds in said special account be set over and paid into the General Revenue Fund."

Amend House Bill No. 521, Section 32, by striking out the words "or suspended," in lines 23 and 24, and "or suspended," in line 26.

Amend House Bill No. 521 by striking out Sections 18 and 19, and substituting in lieu thereof the following:

"Section 18. If the Secretary of State at any time has reason to believe any dealer has in any way violated, or is violating, or about to violate any of the provisions of this Act, or has been guilty of any fraud or fraudulent practices, then the Secretary of State may, after hearing, and having reasonable cause to believe the dealer has been guilty of such offense, revoke said dealer's registration. Notice of the time and place of any such hearing shall be sent to such dealer at least seven days prior thereto. The dealer shall not be regarded as registered under the provisions hereof until restored to registration by the Secretary of State, either on the Secretary of State's own initiative or upon the order of the court, as in this Act hereinafter provided. In case of revocation, all registration certificates shall at once be surrendered to the Secretary of State upon request. The revocation of the dealer's registration shall constitute a revocation of the registration of any agent or salesman of the dealer's, and notice of its operation on such agent's or salesman's registration shall be forthwith sent by the Secretary of State to each of such agents and salesmen.

"Section 19. If the Secretary of State at any time has reason to believe any salesman or agent of any dealer has in any way violated or is violating, or is about to violate any of the provisions of this Act, or has been guilty of any fraud or fraudulent practice, then the Secretary of State, may, after hearing, and having reasonable cause to believe that the agent or salesman has

been guilty of such offense, revoke said agent's or salesman's registration. Notice of the time and place of such hearing shall be sent to such dealer and to such agent or salesman at least seven days prior thereto. The agent or salesman shall not be regarded as registered under the provisions hereof until restored to registration by the Secretary of State, either on the Secretary of State's own initiative or upon the order of the court as in this Act hereinafter provided. In case of revocation as a result of proceedings under this section, or in case of the revocation of an agent's or salesman's registration as a result of proceedings against a dealer under Section 18 hereof, in either such event, all agent's or salesman's registration certificates shall at once be surrendered to the Secretary of State upon request."

Amend House Bill No. 521, Section 3, by striking out paragraphs "Q" and "R."

Amend House Bill No. 521, Section 3, paragraph "O," by striking out the following words: "The sale of any securities by any other company subject to the supervision of the Commissioner of Banking of the State of Texas," and by inserting after the word "such" in the same section and paragraph, line 2, page 10, the words: "State bank or trust."

Amend House Bill No. 521 by striking out the words "the District Court of Travis County or," found in lines 20 and 21, page 35, Section 27.

Amend House Bill No. 521, line 11, page 31, Section 23, by inserting after the word "securities" the following: "Provided, however, in no event shall the liability on the bond for any suit or series of suits exceed the principal amount of the bond—that is, the said bond shall not be subject to successive recoveries beyond the principal amount of the bond."

The amendments were severally adopted.

Mr. Reed of Dallas offered the following amendment to the bill:

Amend House Bill No. 521 by striking out Section 23 on page 21.

The amendment was adopted.

Mr. Reed of Dallas offered the following committee amendments to the bill:

Amend House Bill No. 521, Section 6, by inserting after the word "incor-

poration," in line 20, page 12, the words "and all amendments thereto."

Amend House Bill No. 521 by striking out "so transferred or exchanged other than the securities," in line 13, page 8, paragraph "G," Section 3.

The amendments were severally adopted.

Mr. Calvert offered the following amendment to the bill:

Amend House Bill No. 521, Section 7, by striking out the words "and upon giving," in line 13, all of line 14, and the words "this Act," in line 15.

The amendment was adopted.

Mr. Reed of Dallas offered the following committee amendment to the bill:

Amend House Bill No. 521, Section 28, page 36, by striking out the last two sentences of said section, substituting in lieu thereof the following:

"To aid the Secretary of State in carrying out the provisions of this Act, there is hereby created the office of the Securities Commissioner of Texas, who shall be appointed by the Secretary of State for a term co-extensive with the term of the office of the Secretary of State. As a qualification for said office the person so appointed by the Secretary of State shall be a practicing attorney of the State, having not less than five years' active practice of law prior to the date of his appointment. The Securities Commissioner, as herein created, shall draw an annual salary not exceeding \$3,600, and shall perform the duties of the present Blue Sky Commissioner in the enforcement of the provisions of this Act as directed by the Secretary of State. All expenditures for the administration of this Act shall be in the amounts and for the purposes fixed by the Legislature in the general appropriations bills."

Mr. Jones of Wise and Mr. Shofner offered the following amendment to the committee amendment:

Amend committee amendment No. 2 by striking out the second sentence thereof.

JONES of Wise,
SHOFNER.

The amendment was adopted.

Mr. Smith offered the following amendment to the committee amendment:

Amend committee amendment No. 2 to House Bill No. 521 by striking

out the figures "\$3,600" and substitute therefor "\$3,000."

SMITH,
FARMER.

Mr. Reed of Dallas moved to table the amendment by Mr. Smith.

The motion to table prevailed.

The committee amendment as amended was then adopted.

Mr. Roane offered the following amendment to the bill:

Amend House Bill No. 521 by striking out lines 22 to 24, inclusive, in Section 24, page 22, and in lieu thereof inserting the following: "guilty of a felony and, upon conviction thereof, shall be sentenced to pay a fine of not more than one thousand dollars, or imprisonment in the penitentiary for not more than two years, or by both such fine and imprisonment."

The amendment was adopted.

Mr. Tarwater offered the following amendment to the bill:

Amend House Bill No. 521 by adding a new subsection "s" at end of Section 3 as follows:

"(s) The sale and issuance of any securities issued by any farmers' co-operative association organized under Chapter 8 of Title 93, Articles 5737-5764, inclusive, Revised Civil Statutes of Texas as amended; and the sale of any securities issued by any farmers' co-operative society organized under Chapter 5 of Title 46, Articles 2514-2524, inclusive, Revised Civil Statutes of Texas. Provided, however, this exemption shall not be applicable to agents and salesmen of any farmers' co-operative association or farmers' co-operative society when the sale of such securities is made to non-members, or when the sale of such securities is made either to members or non-members and a commission is paid or contracted to be paid to the said agent or salesman."

TARWATER,
ALEXANDER.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 521 was then passed to engrossment.

HOUSE BILL NO. 521 ON THIRD
READING

Mr. Reed of Dallas moved that the constitutional rule, requiring bills to

be read on three several days, be suspended, and that House Bill No. 521 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Adamson	Holland
Adkins	Hoskins
Aikin	Howard
Alexander	Huddleston
Alsup	Hunt
Ash	Hunter
Atchison	Hyder
Beck	Jackson
Bourne	James
Bradbury	Jefferson
Bradford	Jones of Atascosa
Broyles	Jones of Falls
Burton	Jones of Runnels
Butler of Brazos	Jones of Shelby
Butler of Karnes	Jones of Wise
Cagle	Keefe
Caldwell	King
Calvert	Knetsch
Canon	Lange
Celaya	Lanning
Clayton	Latham
Collins	Leath
Colquitt	Lemens
Cooper	Leonard
Cowley	Lindsey
Craddock	Lotief
Crossley	Lucas
Daniel	Luker
Davis	McCalla
Davison of Fisher	McConnell
Davisson	McKee
of Eastland	McKinney
Dickison	Moffett
Dunagan	Moore
Dunlap of Hays	Morris
Dunlap of Kleberg	Morrison
Duvall	Newton
England	Nicholson
Fain	Olsen
Farmer	Padgett
Fisher	Patterson
Fitzwater	Payne
Ford	Pope
Fox	Quinn
Frazer	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Riddle
Glass	Roach of Angelina
Graves	Roane
Gray	Roark
Hankamer	Roberts
Hanna	Rogers
Hardin	Russell
Harris of Archer	Rutta
Hartzog	Scarborough
Herzik	Settle
Hill	Shofner
Hodges	Smith
Hofheinz	Stanfield

Steward	Walker
Stovall	Wells
Tarwater	Westfall
Tennyson	Wood of Harrison
Thornton	Wood of Montague
Tillery	Worley
Venable	Youngblood
Waggoner	

Absent

Bergman	Morse
Colson	Palmer
Dwyer	Petsch
Good	Spears
Greathouse	Stinson
Harris of Dallas	Young
McFarland	

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

The Speaker then laid House Bill No. 521 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—139

Adamson	Duvall
Adkins	England
Aikin	Fain
Alexander	Farmer
Alsup	Fisher
Ash	Fitzwater
Atchison	Ford
Beck	Fox
Bergman	Frazer
Bourne	Fuchs
Bradbury	Gibson
Bradford	Glass
Broyles	Graves
Burton	Gray
Butler of Brazos	Greathouse
Butler of Karnes	Hankamer
Cagle	Hanna
Calvert	Hardin
Canon	Harris of Archer
Celaya	Harris of Dallas
Clayton	Hartzog
Collins	Herzik
Colquitt	Hodges
Colson	Hofheinz
Cooper	Holland
Cowley	Hoskins
Craddock	Howard
Crossley	Huddleston
Daniel	Hunt
Davis	Hunter
Davison of Fisher	Hyder
Davisson	Jackson
of Eastland	James
Dickison	Jefferson
Dunagan	Jones of Atascosa
Dunlap of Hays	Jones of Falls
Dunlap of Kleberg	Jones of Runnels

Jones of Shelby	Reed of Bowie
Jones of Wise	Reed of Dallas
Keefe	Riddle
King	Roach of Angelina
Knetsch	Roane
Lange	Roark
Lanning	Roberts
Latham	Rogers
Leath	Russell
Lemens	Rutta
Leonard	Scarborough
Lindsey	Settle
Lotief	Shofner
Lucas	Smith
Luker	Spears
McCalla	Stanfield
McConnell	Steward
McFarland	Stinson
McKee	Stovall
McKinney	Tarwater
Moffett	Tennyson
Moore	Thornton
Morris	Tillery
Morrison	Venable
Morse	Waggoner
Newton	Walker
Nicholson	Wells
Olsen	Westfall
Palmer	Wood of Harrison
Patterson	Wood of Montague
Payne	Worley
Pope	Young
Quinn	Youngblood

Absent

Caldwell	Hill
Dwyer	Padgett
Good	Petsch

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 556, "An Act changing the time of holding the terms of the District Court in the Eighty-sixth Judicial District, and providing that all processes and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in counties said district, together with jurors heretofore selected are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the end

of their terms; providing that the County Attorney of Van Zandt County shall represent the State in all criminal cases in said court and receive the same fees and compensation as is now provided by law for the County Attorney of Kaufman County; repealing all conflicting laws; fixing the effective date of the Act, and declaring an emergency."

S. B. No. 321, "An Act amending Sections 17, 18, 19, and 20, of Chapter 290, Acts of the Forty-first Legislature, so as to provide for the creation of Union Junior College District where there are two or more contiguous independent school districts or two or more contiguous common school districts or a combination of one or more independent school districts with one or more common school districts of contiguous territory within the same county having a combined taxable wealth of not less than \$9,500,000, and declaring an emergency."

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, March 27, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on House Bill No. 519 by the following vote: Yeas, 26; nays, 2.

The Senate has adopted
S. C. R. No. 28, Providing that Texas Conservation and Beautification Week be observed each year from April 19 through the 26th.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill No. 257.

The following have been appointed on the part of the Senate: Senators Hornsby, DeBerry, Woodruff, Poage and Oneal.

Respectfully,
BOB BARKER,
Secretary of the Senate.

LEAVE OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. Roach of Hunt was granted leave of absence for today, on account of important business, on motion of Mr. Hunt.

HOUSE BILL NO. 71 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 71, A bill to be entitled "An Act relating to the licensing of motor vehicle operators and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways, providing for issuance of licenses, revocation of operator's and chauffeur's licenses under certain conditions, forbidding driving by persons without licenses, providing penalties, etc., and declaring an emergency";

The bill having heretofore been read second time, with committee amendment by Mr. Harris of Dallas, pending.

Mr. Jones of Atascosa moved the previous question on the pending amendment, amendments on the Speaker's desk, and the bill, and the main question was ordered.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows: On page 10 strike out, in line 36 and 37, these words "except where such revocation is mandatory under the provisions of this Act."

The amendment was lost.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows: Strike out, on page 7, lines 20, 21, 22, and "Department," in line 23.

The amendment was lost.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows: In lines 17 and 18, on page 12, change "five hundred dollars (\$500)" to read "two hundred dollars (\$200)" instead.

The amendment was adopted.

Mr. Bradbury offered the following amendment to the bill:

Amend House Bill No. 71 by striking out the enacting clause.

Question recurring on the amendment by Mr. Bradbury, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—38

Adkins	Keefe
Alsup	King
Ash	Lindsey
Bradbury	Lucas
Broyles	Luker
Butler of Karnes	McConnell
Colson	Olsen
Craddock	Palmer
Crossley	Reed of Bowie
Davis	Roberts
Davison of Fisher	Rogers
Farmer	Rutta
Fitzwater	Stanfield
Gibson	Stovall
Gray	Tarwater
Hardin	Walker
Huddleston	Wood of Harrison
Jones of Runnels	Wood of Montague
Jones of Shelby	Worley

Nays—91

Adamson	Hodges
Aikin	Hofheinz
Alexander	Hoskins
Atchison	Howard
Beck	Hunt
Bergman	Hunter
Bourne	Hyder
Burton	Jackson
Butler of Brazos	James
Cagle	Jefferson
Canon	Jones of Falls
Clayton	Jones of Wise
Collins	Knetsch
Colquitt	Lanning
Cooper	Latham
Cowley	Leath
Daniel	Lotief
Davisson	McCalla
of Eastland	McFarland
Dickison	McKee
Dunagan	McKinney
Dunlap of Hays	Moffett
Duvall	Moore
Dwyer	Morris
England	Morrison
Fain	Morse
Fisher	Nicholson
Ford	Padgett
Fox	Patterson
Frazer	Payne
Fuchs	Quinn
Glass	Reed of Dallas
Good	Riddle
Graves	Roach of Angelina
Hankamer	Roane
Hanna	Roark
Harris of Archer	Russell
Harris of Dallas	Scarborough
Herzik	Settle
Hill	Shofner

Smith	Venable
Steward	Waggoner
Stinson	Wells
Tennyson	Westfall
Thornton	Young
Tillery	Youngblood

Absent

Bradford	Jones of Atascosa
Caldwell	Lange
Calvert	Lemens
Celaya	Leonard
Dunlap of Kleberg	Newton
Greathouse	Petsch
Hartzog	Pope
Holland	Spears

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows: On page 10 strike out lines 1 to 6, inclusive.

The amendment was adopted.

Mr. Jones of Wise offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, page 8, line 22, by inserting a new section after Section 14, to be known as Section 15, and renumbering subsequent sections accordingly, said new section to read as follows:

"Section 15. Accident statistics and reports.

"(a) The department shall prepare and may supply to police and sheriff's offices and other suitable agencies forms for accident reports calling for sufficiently detailed information to disclose with reference to a highway accident the cause, conditions then existing and the persons and vehicles involved.

"(b) The department shall receive accident reports required to be made by law and shall tabulate and analyze such reports and publish annually or at more frequent intervals statistical information based thereon as to the number, cause and location of highway accidents; and the department shall biennially report to the Governor and the Legislature the abstract of such reports for the preceding biennium, with its conclusions and findings and recommendations for de-

creasing highway accidents and increasing safety upon the highways of Texas.

"(c) The driver of any vehicle involved in an accident resulting in injuries or death to any person or property damage to an apparent extent of fifty dollars or more shall, within twenty-four hours, forward a report of such accident to the department. Whenever the original report is insufficient in the opinion of the department, it may require drivers involved in accidents or police departments to file supplemental reports of accidents upon forms furnished by it. All accident reports made to the department or to any city department under local ordinance shall be without prejudice, shall be for the information of the department, and shall not be open to public inspection. The fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this section, but no such report or any part thereof or statement contained therein shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accident.

"Any incorporated city may by ordinance require that the driver of a vehicle in an accident shall file with the designated city department a report of such accident or a copy of any report required to be filed with the State authorities by this system.

"(d) Every coroner or other official performing like functions shall make a report to the Commissioner with respect to any death found to have been the result of a motor vehicle accident.

"(e) Every hospital or ambulance operator shall make a report to the Commissioner with respect to any injury or death to any person found to have been the result of a motor vehicle accident, when the services of such hospital or ambulance operator are utilized.

"(f) Any person hereinabove required to make any report who shall fail to do so shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided in Section 24 of this Act, and the department may, in its discretion, suspend such person's operator's or chauffeur's license, as provided in Section 17 hereof."

Question recurring on the amendment by Mr. Jones of Wise, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—68

Adamson	Jones of Wise
Alexander	Keefe
Butler of Brazos	King
Butler of Karnes	Leath
Cagle	Lemens
Calvert	Lindsey
Clayton	McCalla
Colson	McFarland
Cowley	McKee
Daniel	McKinney
Davisson	Moffett
of Eastland	Moore
Dickison	Morris
Dunagan	Morse
Dunlap of Hays	Newton
Duvall	Nicholson
Fisher	Padgett
Fox	Palmer
Gibson	Patterson
Gray	Riddle
Hankamer	Roach of Angelina
Harris of Dallas	Roane
Hartzog	Roark
Hill	Scarborough
Hodges	Smith
Hofheinz	Stanfield
Hoskins	Steward
Howard	Stovall
Hunt	Tarwater
Hunter	Thornton
Hyder	Tillery
Jackson	Wells
James	Worley
Jones of Atascosa	Young
Jones of Shelby	

Nays—50

Adkins	Jefferson
Aikin	Jones of Falls
Alsup	Knetsch
Ash	Latham
Beck	Lotief
Bourne	Lucas
Bradbury	McConnell
Bradford	Morrison
Broyles	Olsen
Burton	Payne
Caldwell	Pope
Canon	Reed of Bowie
Collins	Reed of Dallas
Colquitt	Roberts
Craddock	Russell
Davison of Fisher	Rutta
Fain	Settle
Farmer	Tennyson
Fitzwater	Venable
Frazer	Waggoner
Good	Walker
Hanna	Westfall
Hardin	Wood of Harrison
Herzik	Wood of Montague
Huddleston	Youngblood

Absent

Atchison	Harris of Archer
Bergman	Holland
Celaya	Jones of Runnels
Cooper	Lange
Crossley	Lanning
Davis	Leonard
Dunlap of Kleberg	Luker
Dwyer	Petsch
England	Quinn
Ford	Rogers
Fuchs	Shofner
Glass	Spears
Graves	Stinson
Greathouse	

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

Mr. Roane offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by striking out Sections 16, 17, 18 and 19, and in lieu thereof insert the following:

"Section 15-b. It shall be unlawful for any person to act as an operator or chauffeur who is an habitual drunkard or is addicted to the use of narcotic drugs, or who has been adjudged insane or an idiot, imbecile, epileptic, or feeble-minded, and who has not been restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the superintendent that such person is competent.

"Section 16. It shall be unlawful for any person who is under the age of twenty-one (21) years to drive a motor vehicle while in use as a school bus for the transportation of pupils to and from school or for any person who is under the age of eighteen (18) years to drive a motor vehicle while in use as a public passenger carrying vehicle.

"Section 17. Every court having jurisdiction over offenses committed under any law of this State regulating the operation of motor vehicles on the highways shall have authority to suspend any driver's license in addition to any fine and punishment now authorized by law and in the event of any such suspension such court shall forward to the Department a record of the conviction of any person in said court for a violation of any of said laws, and such conviction shall prevent, if the court

in said order of conviction so ordered, the person so convicted from acting as an operator or chauffeur for a period not exceeding six months (6) if the conviction is in a justice court, and for a period not exceeding one year (1) if the conviction is in a county court, and for a period not exceeding two years (2) if the conviction is in a district court.

"Section 18. It shall be unlawful for any person who (a) as a reckless or unlawful operator of a motor vehicle has caused or contributed to an accident resulting in death, or injury to any person or serious property damage, as reflected by court judgment, or is (b) incompetent to drive a motor vehicle because afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to drive a motor vehicle upon the highway, as indicated from actual operation.

"Section 19. Any person denied a right to drive a motor vehicle on the highways of this State shall have the right to file a petition within thirty (30) days thereafter for a hearing in the matter in the district court in the county wherein such person shall reside, and such court is hereby vested with jurisdiction and it shall be its duty to set the matter for hearing upon ten (10) days' written notice to the Commissioner, and thereupon to take testimony and examine into the facts of the case, and to determine whether the petitioner is entitled to the right to drive a motor vehicle on the highways of this State under the provisions of this Act.

"Section 19-a. Any negligence of a minor under the age of eighteen (18) years while driving any motor vehicle upon a highway, shall be imputed to the parent or guardian of such minor who shall knowingly permit such minor to operate such motor vehicle and such parent or parents or guardian shall be jointly and severally liable, with such minor, for any such damages caused by such negligence.

"Section 19-b. Every owner of a motor vehicle causing or knowingly permitting a minor under the age of sixteen (16) years to drive such vehicle upon a highway, and any person who gives or furnishes a motor vehicle to such minor, shall be jointly and severally liable with such minor for any damages caused by the negligence of such minor in driving such vehicle.

"Section 19-c. This State and every county, city, municipal or other public corporation within the State employing any operator or chauffeur shall be jointly and severally liable with such operator or chauffeur for any damages caused by the negligence of the latter while driving a motor vehicle upon a highway in the course of his employment.

"Section 19-d. It shall be unlawful for any person to use a false or fictitious name or give a false or fictitious address as an operator or chauffeur or to knowingly make a false statement or knowingly conceal material fact or otherwise commit a fraud in relation to his act of driving a motor vehicle on the highways of this State."

The amendment was adopted.

Question—Shall the committee amendment be adopted?

On motion of Mr. Wells, by unanimous consent, the House, at 12 o'clock m., agreed to stand at ease until 2 o'clock p. m., today.

The House reconvened at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 71 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 71, relating to the licensing of motor vehicle operators, on its passage to engrossment;

The bill having heretofore been read second time, with committee amendment by Mr. Harris of Dallas, pending.

Mr. Stinson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, page 8, line 27, by adding after the word "highways," the following: "in addition to the other penalties now or hereafter provided by law for such offenses, may be provided for the additional penalty of forfeiture of the offender's driver's license; and upon conviction carrying the penalty of forfeiture of such license, the clerk of such court."

The amendment was adopted.

Mr. Leonard offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by striking out all

of paragraph (e) of Section 14, and insert in lieu thereof the following:

"The Commission shall deposit all money or moneys received under this Act in the General Revenue Fund of the State Treasury and all expenditures necessary for the administration, maintenance, and enforcement of this Act shall be in the amounts and for the purposes appropriated by the Legislature."

The amendment was adopted.

Mr. Morrison offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, Section 14, Subsection (d), page 8, by striking out the words and figures "twenty-five cents (25c)" wherever they appear, and insert in lieu thereof the following: "fifteen cents (15c)."

MORRISON,
LEMENS.

Question recurring on the amendment by Mr. Morrison, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—71

Aikin	Jones of Shelby
Alsup	King
Atchison	Knetsch
Beck	Lanning
Bourne	Latham
Bradbury	Lemens
Bradford	Leonard
Broyles	Lindsey
Butler of Karnes	Lotief
Cagle	Lucas
Canon	McConnell
Cowley	McKee
Craddock	Moffett
Crossley	Morrison
Daniel	Newton
Davis	Nicholson
Davison of Fisher	Olsen
Fain	Payne
Farmer	Quinn
Fisher	Reed of Bowie
Fitzwater	Roach of Angelina
Fox	Roberts
Frazer	Rogers
Gibson	Russell
Glass	Rutta
Graves	Scarborough
Hardin	Shofner
Harris of Archer	Spears
Hodges	Stanfield
Huddleston	Stovall
James	Tarwater
Jones of Atascosa	Tennyson
Jones of Runnels	Tillery

Venable	Wood of Montague
Wells	Worley
Wood of Harrison	

Nays—49

Adamson	Hyder
Alexander	Jackson
Ash	Jones of Wise
Bergman	Keefe
Burton	Leath
Calvert	Luker
Celaya	McCalla
Clayton	McFarland
Collins	Morris
Colquitt	Morse
Cooper	Padgett
Dickison	Patterson
Dunagan	Reed of Dallas
Dunlap of Hays	Riddle
England	Roane
Ford	Settle
Fuchs	Smith
Hankamer	Steward
Hanna	Stinson
Harris of Dallas	Thornton
Hartzog	Waggoner
Hill	Westfall
Hofheinz	Young
Holland	Youngblood
Howard	

Absent

Adkins	Hoskins
Butler of Brazos	Hunt
Caldwell	Hunter
Colson	Jefferson
Davisson	Jones of Falls
of Eastland	Lange
Dunlap of Kleberg	McKinney
Duvall	Moore
Dwyer	Palmer
Good	Petsch
Gray	Pope
Greathouse	Roark
Herzik	Walker

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

Mr. Knetsch offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by adding at the end of Section 15, page 8, a new section, to be known as Section 15-a, and to read as follows:

"Section 15-a. Department May Suspend or Revoke License. (a) The Department may suspend the license of any person for a period of thirty days without hearing after receiving a record of conviction of such person showing that he was guilty of:

"1. That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this Act.

"2. That such person has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any person or serious property damage.

"3. That such person is incompetent to drive a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to drive a motor vehicle upon the highway.

"4. That such person is an habitual reckless or negligent driver of a motor vehicle or has committed a serious violation of the motor vehicle laws of this State. Whenever the Department suspends the license of any person for any reason set forth in the above four paragraphs, the Department shall immediately notify the licensee and afford him an opportunity of a hearing before the said Department in the county wherein the licensee resides. And upon such hearing the Department shall either rescind its order of suspension or, good cause appearing therefor, may suspend the license of such person for a further period or revoke said license."

The amendment was adopted.

Mr. Youngblood offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by requiring tax collectors to issue driver's license when presented with evidence of qualification to receive driver's license when issuing car license.

The amendment was adopted.

Mr. Pope offered the following substitute for the committee amendment:

Strike out all below the enacting clause and substitute the following:

"Section 1. The following words and phrases when used in this Act shall, for the purpose of this Act, have the meanings respectively ascribed to them in this section, except in those instances where the context indicates a different meaning:

"(a) 'Vehicle.' Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, ex-

cepting devices moved by human power or used exclusively on stationary rails or tracks.

"(b) 'Motor Vehicle.' Every vehicle as herein defined, which is self-propelled.

"(c) 'Farm Tractor.' Every motor vehicle designed and used primarily as a farm implement for drawing plows, sowing machines, and other implements of husbandry.

"(d) 'Person.' Every natural person, firm, copartnership, association, or corporation.

"(e) 'Owner.' A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Act.

"(f) 'Operators.' Every person, other than a chauffeur, who is in actual physical control of a motor vehicle upon a highway.

"(g) 'Chauffeur.' Every person who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

"(h) 'Non-residents.' Every person who is not a resident of this State.

"(i) 'Highway.' Every way or place of whatever nature open as a matter of right to the use of the public for purposes of vehicular travel. The term 'Highway' shall not be deemed to include a roadway or driveway upon grounds owned by private person, colleges, universities, or other institutions.

"(j) 'Department.' The Vehicle Department of this State, acting directly or through the duly authorized members of the Highway Patrol.

"(k) 'Commissioner.' The Chief of the Highway Motor Patrol to be designated Vehicle Commissioner of this State.

"Sec. 2. 'Vehicle Commissioner.' There is hereby created the office of Vehicle Commissioner, the holder of the office to organize and be in charge

of the Vehicle Department of this State.

"(a) It shall be the duty of the Department and all officers thereof to enforce the provisions of this Act.

"(b) The Vehicle Commissioner shall maintain the same office in the State Highway Building at Austin, Texas, as is used by the Chief of the Highway Patrol.

"Sec. 3. It shall be unlawful for any person to act as an operator or chauffeur who is an habitual drunkard or is addicted to the use of narcotic drugs, or who has been adjudged insane or an idiot, imbecile, epileptic, or feeble-minded, and who has not been restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the superintendent that such person is competent.

"Sec. 4. It shall be unlawful for any person who is under the age of twenty-one (21) years to drive a motor vehicle while in use as a school bus for the transportation of pupils to and from school or for any person who is under the age of eighteen (18) years to drive a motor vehicle while in use as a public passenger-carrying vehicle.

"Sec. 5. Every court having jurisdiction over offenses committed under any law of this State regulating the operation of motor vehicles on the highways, shall forward to the Department a record of the conviction of any person in said court for a violation of any of said laws, and such conviction shall prevent the person so convicted from acting as an operator or chauffeur for six (6) months if the conviction is in a justice court, and for one (1) year if the conviction is in a county court, and for two (2) years if the conviction is in a district court.

"Sec. 6. It shall be unlawful for any person who (a) as a reckless or unlawful operator of a motor vehicle has caused or contributed to an accident resulting in death or injury to any person or serious property damage, as reflected by court judgment, or is (b) incompetent to drive a motor vehicle because afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to drive a motor vehicle upon the highway, as indicated from actual operation.

"Sec. 7. Any person denied a right to drive a motor vehicle on the highways of this State shall have the right to file a petition within thirty (30) days thereafter for a hearing in the matter in the district court in the county wherein such person shall reside, and such court is hereby vested with jurisdiction and it shall be its duty to set the matter for hearing upon ten (10) days' written notice to the Commissioner, and thereupon to take testimony and examine into the facts of the case, and to determine whether the petitioner is entitled to the right to drive a motor vehicle on the highways of this State under the provisions of this Act.

"Sec. 8. Any negligence of a minor under the age of eighteen (18) years while driving any motor vehicle upon a highway, shall be imputed to the parent or guardian of such minor, who shall knowingly permit such minor to operate such motor vehicle and such parent or parents or guardian shall be jointly and severally liable, with such minor, for any such damages caused by such negligence.

"Sec. 9. Every owner of a motor vehicle causing or knowingly permitting a minor under the age of eighteen (18) years to drive such vehicle upon a highway, and any person who gives or furnishes a motor vehicle to such minor, shall be jointly and severally liable with such minor for any damages caused by the negligence of such minor in driving such vehicle.

"Sec. 10. This State and every county, city, municipal or other public corporation within the State employing any operator or chauffeur shall be jointly and severally liable with such operator or chauffeur for any damages caused by the negligence of the latter while driving a motor vehicle upon a highway in the course of his employment.

"Sec. 11. It shall be unlawful for any person to use a false or fictitious name or give a false or fictitious address as an operator or chauffeur or to knowingly make a false statement or knowingly conceal material fact or otherwise commit a fraud in relation to his act of driving a motor vehicle on the highways of this State.

"Sec. 12. Any person who knowingly violates any provision of this Act shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment in jail for not

more than six months, or by both such fine and imprisonment.

"Sec. 13. If any part or parts of this Act shall be held to be unconstitutional such unconstitutionality shall not affect the validity of the remaining parts of this Act. The Legislature hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts thereof would be declared unconstitutional.

"Sec. 14. All laws and parts of laws in conflict herewith are hereby expressly repealed.

"Sec. 15. The fact that insurance companies and job hunters and printing houses and badge makers are clamoring for the passage of this Act creates an emergency and an imperative public necessity requiring that the constitutional rule providing that bills be read on three separate days, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Question recurring on the substitute amendment by Mr. Pope, yeas and nays were demanded.

The substitute amendment was lost by the following vote:

Yeas—32

Adkins	Huddleston
Ash	Jones of Falls
Beck	Jones of Runnels
Bradbury	Jones of Shelby
Bradford	Lanning
Broyles	Lindsey
Colson	Lucas
Craddock	McConnell
Crossley	Olsen
Davison of Fisher	Palmer
Farmer	Reed of Bowie
Fitzwater	Roark
Gibson	Stovall
Greathouse	Tarwater
Hardin	Venable
Holland	Walker

Nays—98

Adamson	Caldwell
Aikin	Calvert
Alexander	Canon
Alsup	Clayton
Atchison	Collins
Bergman	Colquitt
Bourne	Cooper
Burton	Cowley
Butler of Brazos	Daniel
Cagle	Davis

Davison of Eastland	McFarland
Dickison	McKee
Dunagan	McKinney
Duvall	Moffett
Dwyer	Moore
Fain	Morris
Fisher	Morse
Ford	Newton
Fox	Nicholson
Frazer	Padgett
Fuchs	Patterson
Graves	Payne
Hankamer	Petsch
Hanna	Pope
Harris of Archer	Quinn
Harris of Dallas	Reed of Dallas
Hartzog	Riddle
Herzik	Roach of Angelina
Hill	Roane
Hodges	Russell
Hofheinz	Rutta
Hoskins	Scarborough
Howard	Settle
Hunt	Shofner
Hunter	Smith
Hyder	Spears
Jackson	Stanfield
James	Steward
Jefferson	Stinson
Jones of Wise	Tennyson
Keefe	Thornton
King	Waggoner
Knetsch	Wells
Latham	Westfall
Leath	Wood of Harrison
Lemens	Wood of Montague
Lotief	Worley
Luker	Young
McCalla	Youngblood

Absent

Butler of Karnes	Jones of Atascosa
Celaya	Lange
Dunlap of Hays	Leonard
Dunlap of Kleberg	Morrison
England	Roberts
Glass	Rogers
Good	Tillery
Gray	

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

Question recurring on the committee amendment, as amended, yeas and nays were demanded.

The committee amendment, as amended, was adopted by the following vote:

Yeas—80

Adamson	Burton
Alexander	Butler of Brazos
Atchison	Butler of Karnes
Bourne	Cagle

Caldwell	Leath
Calvert	Lemens
Clayton	McCalla
Collins	McFarland
Colquitt	McKinney
Cooper	Moffett
Cowley	Moore
Crossley	Morris
Davis	Morse
Davisson	Newton
of Eastland	Nicholson
Dickison	Padgett
Dunagan	Patterson
Dunlap of Hays	Payne
Duvall	Quinn
Fisher	Reed of Dallas
Ford	Riddle
Fox	Roach of Angelina
Frazer	Roane
Fuchs	Roark
Hankamer	Russell
Hanna	Scarborough
Harris of Dallas	Settle
Hartzog	Shofner
Hill	Smith
Hofheinz	Spears
Holland	Stanfield
Hoskins	Steward
Howard	Stinson
Hunt	Tennyson
Hunter	Thornton
Hyder	Waggoner
Jackson	Westfall
James	Worley
Jefferson	Young
Jones of Wise	Youngblood
Knetsch	

Nays—53

Adkins	Jones of Shelby
Aikin	Keefe
Alsup	King
Ash	Lanning
Beck	Latham
Bergman	Lindsey
Bradbury	Lotief
Bradford	Lucas
Broyles	McConnell
Canon	McKee
Craddock	Morrison
Daniel	Olsen
Fain	Palmer
Farmer	Petsch
Fitzwater	Pope
Gibson	Reed of Bowie
Glass	Rogers
Good	Rutta
Graves	Stovall
Greathouse	Tarwater
Hardin	Tillery
Harris of Archer	Venable
Hodges	Walker
Huddleston	Wells
Jones of Atascosa	Wood of Harrison
Jones of Falls	Wood of Montague
Jones of Runnels	

Absent

Celaya	Gray
Colson	Herzik
Davison of Fisher	Lange
Dunlap of Kleberg	Leonard
Dwyer	Luker
England	Roberts

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Question recurring on the passage of House Bill No. 71 to engrossment, yeas and nays were demanded.

House Bill No. 71 was passed to engrossment by the following vote:

Yeas—79

Adamson	Hyder
Alexander	Jackson
Ash	Jefferson
Atchison	Jones of Falls
Bourne	Jones of Wise
Bradford	Knetsch
Burton	Lange
Butler of Brazos	Leath
Cagle	Lemens
Calvert	McCalla
Celaya	McFarland
Clayton	McKinney
Collins	Moffett
Colquitt	Moore
Cooper	Morris
Cowley	Morrison
Crossley	Morse
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Padgett
Dickison	Patterson
Dunagan	Payne
Dunlap of Hays	Quinn
Duvall	Reed of Dallas
England	Riddle
Fisher	Roach of Angelina
Ford	Roane
Fox	Roark
Frazer	Scarborough
Fuchs	Settle
Hankamer	Shofner
Hanna	Smith
Harris of Dallas	Spears
Hartzog	Steward
Hill	Stinson
Hofheinz	Thornton
Holland	Waggoner
Hoskins	Westfall
Howard	Young
Hunter	Youngblood

Nays—57

Adkins	Jones of Shelby
Aikin	Keefe
Alsup	King
Beck	Lanning
Bergman	Latham
Bradbury	Lindsey
Broyles	Lotief
Butler of Karnes	Lucas
Caldwell	McConnell
Canon	McKee
Craddock	Olsen
Daniel	Palmer
Davis	Petsch
Fain	Reed of Bowie
Farmer	Rogers
Fitzwater	Russell
Gibson	Rutta
Glass	Stanfield
Good	Stovall
Greathouse	Tarwater
Hardin	Tennyson
Harris of Archer	Tillery
Herzik	Venable
Hodges	Walker
Huddleston	Wells
Hunt	Wood of Harrison
James	Wood of Montague
Jones of Atascosa	Worley
Jones of Runnels	

Absent

Colson	Leonard
Dunlap of Kleberg	Luker
Dwyer	Pope
Graves	Roberts
Gray	

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

Mr. Harris of Dallas moved to reconsider the vote by which House Bill No. 71 was passed to engrossment, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—82

Adamson	Celaya
Alexander	Clayton
Alsup	Collins
Ash	Colquitt
Atchison	Cooper
Bourne	Cowley
Burton	Crossley
Butler of Brazos	Davisson
Cagle	of Eastland
Caldwell	Dickison
Calvert	Dunagan
Canon	Dunlap of Hays

Duvall	McFarland
Dwyer	Moffett
England	Moore
Fisher	Morris
Ford	Morrison
Fox	Morse
Fuchs	Newton
Hankamer	Nicholson
Hanna	Padgett
Harris of Dallas	Patterson
Hartzog	Payne
Hill	Quinn
Hodges	Reed of Dallas
Hofheinz	Riddle
Holland	Roach of Angelina
Hoskins	Roane
Howard	Roark
Hunt	Scarborough
Hunter	Settle
Hyder	Shofner
Jackson	Smith
Jefferson	Spears
Jones of Atascosa	Steward
Jones of Falls	Stinson
Jones of Wise	Thornton
Knetsch	Waggoner
Lange	Westfall
Leath	Young
Lemens	Youngblood
McCalla	

Nays—54

Adkins	Keefe
Aikin	King
Beck	Lanning
Bergman	Latham
Bradbury	Lindsey
Bradford	Lotief
Broyles	Lucas
Butler of Karnes	McConnell
Colson	McKee
Craddock	Olsen
Daniel	Palmer
Davis	Pope
Fain	Reed of Bowie
Farmer	Rogers
Fitzwater	Russell
Frazer	Rutta
Gibson	Stanfield
Glass	Stovall
Good	Tarwater
Greathouse	Tennyson
Hardin	Tillery
Harris of Archer	Venable
Herzik	Walker
Huddleston	Wells
James	Wood of Harrison
Jones of Runnels	Wood of Montague
Jones of Shelby	Worley

Absent

Davison of Fisher	Luker
Dunlap of Kleberg	McKinney
Graves	Petsch
Gray	Roberts
Leonard	

Absent—Excused

Head Reader
Mauritz Roach of Hunt

**MOTION TO TAKE UP HOUSE
BILL NO. 71**

Mr. Dunagan moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 71 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—92

Adamson	Hyder
Alexander	Jackson
Alsup	Jefferson
Ash	Jones of Atascosa
Atchison	Jones of Falls
Bourne	Jones of Wise
Burton	Knetsch
Butler of Brazos	Lange
Butler of Karnes	Leath
Cagle	Lemens
Caldwell	Lotief
Calvert	Luker
Canon	McCalla
Celaya	McFarland
Clayton	McKinney
Collins	Moffett
Colquitt	Moore
Cooper	Morris
Crossley	Morrison
Davis	Morse
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Padgett
Dickison	Patterson
Dunagan	Payne
Dunlap of Hays	Petsch
Dunlap of Kleberg	Quinn
Duvall	Reed of Dallas
Dwyer	Riddle
England	Roach of Angelina
Fisher	Roark
Ford	Russell
Fox	Scarborough
Frazer	Settle
Fuchs	Shofner
Hankamer	Smith
Hanna	Spears
Harris of Dallas	Stanfield
Hartzog	Steward
Herzik	Stinson
Hill	Thornton
Hodges	Waggoner
Hofheinz	Westfall
Holland	Worley
Hoskins	Young
Howard	Youngblood
Hunter	

Nays—46

Adkins	Jones of Shelby
Aikin	Keefe
Beck	King
Bergman	Lanning
Bradbury	Latham
Bradford	Lindsey
Broyles	Lucas
Colson	McConnell
Craddock	McKee
Daniel	Olsen
Fain	Palmer
Farmer	Pope
Fitzwater	Reed of Bowie
Gibson	Rogers
Glass	Rutta
Good	Stovall
Greathouse	Tennyson
Hardin	Tillery
Harris of Archer	Venable
Huddleston	Walker
Hunt	Wells
James	Wood of Harrison
Jones of Runnels	Wood of Montague

Absent

Cowley	Roane
Graves	Roberts
Gray	Tarwater
Leonard	

Absent—Excused

Head Reader
Mauritz Roach of Hunt

**APPOINTMENTS ON STANDING
COMMITTEES ANNOUNCED**

The Speaker announced the appointment of Mr. Hanna on the following standing committees of the House:

State Affairs, instead of Mr. James.
Constitutional Amendments, instead of Mr. Pope.

Education, instead of Mr. Cagle, resigned.

**ADDITIONAL SIGNERS OF HOUSE
BILL NO. 266**

By unanimous consent of the House, the following members were authorized to sign House Bill No. 266 as co-authors of same: Messrs. Latham, Walker, and Steward.

**HOUSE BILL NO. 266 ON PASSAGE
TO ENGROSSMENT**

The Speaker laid before the House, on its passage to engrossment,

H. B. No. 266, A bill to be entitled "An Act declaring the policy of the State with reference to the preservation of natural resources and protec-

tion of the rights of the owners of gas producing properties; defining certain terms used in this bill; declaring certain corporations to be public service utilities; authorizing the Railroad Commission of Texas to determine whether the supply of gas in any pool is in excess of the reasonable market demand and reasonable demand for gas reserves and authorizing the Commission to restrict the use of gas to light and fuel purposes in all fields where the supply is not in excess of the demand and where the supply is not in excess of the reasonable requirements for reserve purposes, etc., and declaring an emergency";

The bill having heretofore been read second time.

Mr. Stanfield offered the following committee amendment to the bill:

Amend House Bill No. 266 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Declaration of Policy. This law is enacted in the exercise of the police power of the State of Texas, and in the exercise of the power given to the Legislature of the State of Texas in the Constitution to pass and enact such laws as may be necessary to conserve the natural resources of this State; and the preservation of natural gas resources of this State is hereby declared to be of prime public concern and in keeping with a sound policy of conservation for the prevention of waste. It is further declared to be the purpose of this Act, not only to restrict it to certain uses hereby legalized, to which natural gas may be put, but to adjust the equities between and among all interests concerned in the ownership, production, manufacturing, transportation, and consumption of natural gas, and to afford all producers and owners of natural gas in this State, as far as possible, a reasonable opportunity to sell the natural gas produced or owned by them at a reasonable and fair price.

"It is further declared to be the policy of this State, and in keeping with such policy, it is declared to be the purpose of this Act to consider the physical facts and phenomena of drainage, rock pressure, acreage, potential capacity of wells, ultimate possible recovery and any and all other geological, scientific, and physical elements that are or may here-

after be known to affect and enter into the ownership, production, manufacture, transportation, and consumption of natural gas in keeping with the policy of conservation of natural resources herein declared.

"It is further declared to be the public policy of this State and the purpose of this Act to permit consideration and the adjustment of the equities arising in gas fields in this State which physical, geological, and scientific facts show to be a common reservoir or common source of supply and which may produce both sweet and sour gas and/or oil from the same reservoir.

"Article 6008 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 26, Section 2, Acts of the First Called Session of the Forty-second Legislature, as amended by Chapter 100, Section 1, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 88, Section 1, Acts of the First Called Session of the Forty-third Legislature, is hereby amended so as hereafter to read, as follows:

"Section 1-a. The term 'sour gas' shall mean any natural gas containing more than one grain of hydrogen sulphide per 100 cubic feet, or more than 30 grains of total sulphur per 100 cubic feet.

"(b) The term 'sweet gas' shall mean any natural gas which does not contain more than one grain of hydrogen sulphide per 100 cubic feet, or does not contain more than 30 grains of total sulphur per 100 cubic feet; provided that this purity requirement as to hydrogen sulphide content shall be considered as satisfied if a strip of white filter paper recently moistened with a solution of 100 grains of lead acetate in 100 cubic centimeters of water, be exposed to the gas for one and one-half minutes in an apparatus previously purged through which the gas is flowing at the rate of approximately five cubic feet per hour, the gas not impinging from a jet upon the test paper, and after this exposure the test paper is found not distinctly darker than a second paper freshly moistened with the solution and not exposed to the gas.

"(c) The term 'person' shall include any person, firm, association, corporation, trustee or receiver or any agent or manager thereof.

"(d) The term 'gas well' is any well (a) which produces natural gas only, or (b) which produces more than 200,000 cubic feet of natural gas, to each barrel of oil from the same producing horizon, or (c) which produces natural gas from a formation or producing horizon productive of gas only encountered in a well bore through which oil also is produced through the inside of another string of casing.

"(e) The term 'oil well' is any well which produces one barrel of oil or more to each 200,000 cubic feet of natural gas; provided that nothing in this Act shall be construed to repeal or in any way limit the authority of the Commission to establish gas-oil ratios for oil wells in making rules, regulations, and orders for the conservation of the oil and gas resources of this State under statutes relating to conservation.

"(f) The term 'thousand cubic feet of gas' shall mean a measured volume of one thousand cubic feet of gas reduced to a pressure base of 16.4 pounds absolute per square inch and a temperature of 60 degrees Fahrenheit.

"(g) The term 'common reservoir' as used in this Act shall mean any oil and/or gas field or part thereof which comprises and includes any area which is underlaid, or which from geological or other scientific data or experiments or from drilling operations or other evidence appears to be underlaid by a common pool or accumulation of oil and/or gas.

"(h) The term 'casinghead gas' shall mean any gas composed of the lighter hydrocarbon vapors emanating or derived from and produced with the oil out of the same sand or stratum that is also producing the oil.

"Sec. 2. (a) If oil and/or gas be produced through different strings of casing set in the same well bore, the inner string through which oil and/or gas be produced shall be regarded as one well, and each successive additional string of casing through which oil and/or gas shall be produced, from a different producing horizon, the others producing through the same well bore shall be regarded as another well.

"(b) No person in possession of or operating any oil well shall produce from such well natural gas found in a horizon productive of natural gas only.

"Sec. 3. After the expiration of 10 days from the time of encountering gas in a gas well, no gas from such well shall be permitted to escape into the air. The use of sweet gas from such a well is hereby prohibited for any purposes other than light or fuel, or for the purpose of introducing same into an oil or gas-bearing stratum to maintain or increase the rock pressure; provided, that any or all such gas used for the purposes hereinabove permitted may first have its natural gasoline content extracted therefrom; and no sour gas from such a well shall be utilized for any purpose except for light or fuel or efficient chemical manufacturing purposes including the manufacture of carbon black, or for introduction into an oil or gas producing stratum for the purpose of increasing or maintaining the rock pressure thereof, or increasing the ultimate recovery of oil and/or gas; provided, that any sour gas used in the manufacture of carbon black must be so utilized in plants having a recovery efficiency of not less than one pound of carbon black to each one thousand (1,000) cubic feet of gas; and provided further, that such sour gas may have its natural gasoline content extracted therefrom before same is used for any purpose hereinabove permitted. Nothing in this Act shall be construed so as to prohibit any producer of either sour or sweet gas from using same as gas lift in the bona fide production of oil where such gas is not used in excess of 10,000 cubic feet per barrel of oil.

"Sec. 4. Whenever the total production from gas wells producing from a common reservoir shall be in excess of the total market outlet for lawful production as herein set forth, no person owning or operating any gas well shall produce from such well at a rate in excess of 25 per cent of the natural open flow of gas from such well for any of the purposes and uses authorized under the terms of this Act; provided, that the rate of production from any given well shall be determined by arriving at the average daily rate of production for the calendar or fiscal year.

"Sec. 5. In order that landowners and operators that have undeveloped land within a proven natural gas field may secure a market for their natural gas, and in order that the market for natural gas may be more equitably distributed among the va-

rious landowners and operators, and in the interest of the conservation and development of natural gas it is declared to be lawful for any two or more lessors, lessees, operators, or other persons, firms, or corporations, owning or controlling production, leases, royalties, or other interests in the separate properties of the same producing gas field, with the approval of the Attorney General of Texas, to enter into agreements for the purpose of bringing about co-operative development and or operation of all or a part, or parts, of such field, or for the purpose of fixing the time, location, and manner of drilling and operating wells for the production of storage, marketing, or the repressuring of gas, or for the purpose of the equitable distribution of royalty payments. Any such agreement shall bind only the parties thereto, and their successors and assigns of such having knowledge or notice thereof, and shall be enforceable in an action for specific performance.

"Sec. 6. It shall be the duty of all persons, companies, or corporations producing natural gas from any gas well to ascertain and determine on or prior to the first day of April and October, respectively, of each year hereafter, through appropriate tests, to be made in the presence of and under the supervision of a representative of the Commission, and under uniform and generally recognized methods, and under regulations which shall be prescribed by the Commission, the open flow and rock pressure of each gas well from which natural gas shall be produced, and verified reports thereof shall be filed with the Commission on or before the tenth day of each of the months aforesaid; which said reports shall be kept on file with the Commission and shall become a permanent public record and shall be open to the inspection and examination of the public, and which said reports shall disclose the name of the representative of the Commission who was actually present when such tests were made. If any person producing gas from the same common reservoir be dissatisfied with the test as made and reported, such person may demand a second test to be made in the manner herein provided and in the presence of such person or his representative.

"Sec. 7. The Railroad Commission shall furnish one of its duly author-

ized agents to inspect, read or test any meter, or meters, through which natural gas is being measured, or gauged, upon the request of any lessor, lessee, operator, or royalty owner from whose lease, land, or royalty interest natural gas is being produced.

"Sec. 8. The conserving of natural gas is hereby declared to be a part of the conservation policy of the State of Texas, and the blowing or allowing to escape into the air of natural gas from a gas well, whether such gas be burned as it escapes or not, or permitting such to be done, or otherwise using or permitting the use of gas contrary to the provision of this Act, is declared to be waste and is hereby prohibited.

"Sec. 9. Whenever the total production from gas wells producing from a common reservoir shall be in excess of the total market outlet for lawful production as herein set forth, it shall be the duty of the Commission, after notice, without regard to the existence or non-existence of underground waste, to ascertain and determine from competent evidence the total average daily demand or market outlet during the remainder of the calendar year for lawful uses of natural gas from gas wells producing from such common reservoir; and the Commission shall determine the amount of gas that each distributor, purchaser, or consumer demands from said common reservoir, for the said calendar year or remainder thereof and shall make reasonable and equitable regulations and rules, after due notice to all parties interested and after hearing, designating the wells from which said distributors, purchasers, or consumers shall take gas for their respective uses, and no such regulation or rule shall disturb any connection that any distributor, purchaser or consumer may then have to wells in said common reservoir, but such rules or regulations may require that such distributor, purchaser or consumer make reasonable and additional connections to gas wells in said common reservoir in order to give such distributor, purchaser or consumer the necessary connections to wells in said common reservoirs as to assure sufficient gas for their requirements during said period.

"Sec. 10. The Commission shall then ascertain and determine the acreage contained within the tract of

land on which each well producing from a common reservoir is located; provided, that if any well or wells be located on a tract of land greater in extent than the combined natural drainage areas of such well or wells, each well shall be deemed, for the purposes of this Act, to be located on a tract co-extensive with the natural drainage area of such well; and provided, further, that if any well or wells be located on a tract of land smaller in extent than the combined natural drainage area of such well or wells the tract on which each such well is located shall be deemed, for the purposes of this Act, to be the number of acres contained in such entire tract divided by the number of producing gas wells located thereon. The Commission thereupon shall ascertain and determine the aggregate proven area of the common reservoir by adding together the number of acres contained within the tracts on which the wells producing from the common reservoir are located. For the purposes of this Act the natural drainage area of a particular well shall mean the area from which the underlying recoverable natural gas would in due course be produced through such well producing at the rate of 25 per cent of its natural open flow.

"The Commission shall thereupon fix the allowable production from each well producing from a common reservoir by allocating to such well that proportion of the total market outlet or demand for gas from the common reservoir for lawful uses that the acreage of the tract or drainage area on which such well is located multiplied by the daily natural open flow of such well bears to the total proven area of the common reservoir multiplied by the average daily natural open flow of all gas wells producing from the common reservoir, it being intended that the Commission shall allocate the production from each gas well by the following formula:

"Total aggregate area of the common reservoir multiplied by the average daily natural open flow of all wells in the common reservoir: the acreage of the tract or natural drainage area on which the particular well is situated multiplied by the daily natural open flow of such well; the total market outlet or demand for gas from the common reservoir for

lawful uses; the allowable production from such well.'

"If both sweet and sour gas be produced from gas wells producing from the same common reservoir the area producing sweet gas and the area producing sour gas, respectively, shall be deemed, for the purposes of this Act, to be separate common reservoirs, it being intended that there shall be no limitation on the production of sweet gas or sour gas for lawful uses from the same general reservoir by reason of the limited market demand or outlet for the other.

"The Commission shall enter a formal order allocating to each gas well producing from the common reservoir the quantity of gas that may be produced therefrom averaged over the period of the calendar year or that portion remaining after the issuance of the order; and thereafter, it shall be unlawful for any person to produce from any gas well a quantity of gas in excess of the quantity allocated to such well.

"Sec. 11. Nothing contained in this Act shall require that the production from any gas well with a daily natural open flow of 200,000 cubic feet of natural gas or more be restricted to a quantity less than 50,000 cubic feet of natural gas daily; and nothing herein shall require that the production from any gas well with a daily natural open flow of less than 200,000 cubic feet be reduced to a quantity less than 25 per cent of its natural open flow.

"Sec. 12. It is specifically provided that nothing contained in this Act shall force any producer or any owner of natural gas, whether sweet or sour, in a given common reservoir to sell and deliver his gas at the mouth of the well to any distributor or purchaser unless such producer or owner of said gas is offered and paid a reasonable price for said gas; provided further, that in case there should arise in the operation of this law a controversy as to what is a reasonable price to be paid for the natural gas in said common reservoir, it shall then be the duty of the Commission to hold a public hearing, after reasonable notice to all parties interested, for the purpose of determining what is a reasonable and fair price for said natural gas; and provided further, that when the Commission has determined what is a reasonable and

fair market price for such gas no producer or owner of such gas shall be forced to sell the same for such price, but in no event shall he produce his gas and use it for any purpose other than as in this Act provided; and the Commission, if it deems necessary, may allocate to other producers in the field their pro rata part as an additional allowable to them to make up for the deficiency in the aggregate allowable in the field brought about by such refusals of such party or parties to sell their gas at the price found to be reasonable by the Commission.

"Sec. 13. The Commission shall conduct regular hearings, after due notice, at intervals not to exceed three months, for the purpose of ascertaining and determining the facts necessary to the enforcement of Sections 10, 11, and 12 of this Act; and it shall conduct special hearings to the same end whenever it shall be made known to the Commission that there has been any material change in the facts existing as of the time of the latest hearing.

"Sec. 14. Any person feeling himself aggrieved by any finding, order, rule, or regulation of the Commission purporting to proceed under authority of this Act may appeal, for the purpose of obtaining judicial review thereof, in the same manner, upon the same conditions, and to the same court or courts as now provided by law for appeals from other rules, regulations, and orders of the Commission.

"Sec. 15. Any person violating any of the provisions of this Act shall be liable to a penalty not to exceed \$1,000 for each offense, and each day's violation shall be a separate offense. Such penalty may be recovered with the cost of suit in a civil action instituted by the Attorney General or by the county or district attorney, or by any person having an interest in the pool or reservoir where such violations may occur; and any and all violations or threatened violations of this Act may be enjoined by any court of competent jurisdiction in a suit by any such parties.

"Sec. 16. All laws or parts of law in conflict with any of the provisions of this Act are hereby expressly repealed.

"Sec. 17. If any section, subsection, paragraph, sentence, clause, phrase or word, or any other portion or por-

tions, provision or provisions, of this Act should for any reason be held to be invalid or unconstitutional, it shall not affect in anywise the remaining portions of this Act not so held, and the portions of this Act not so held to be invalid or unconstitutional shall remain in full force and effect; it being the intention of the Legislature to enact each and all of the provisions of this Act separately, as well as collectively, and the Legislature hereby declares it would have enacted each provision of this Act regardless of such provisions as might be held to be invalid or unconstitutional.

"Sec. 18. The fact that Section 1 of Chapter 88 of the Acts of the First Called Session of the Forty-third Legislature permitting the use and waste of natural gas contrary to the provisions of this Act, has given rise to an unwarranted, unprecedented, and devastating waste of natural gas and underground wastage of oil, and has tended to destroy the conservation program of the State of Texas, by permitting billions of cubic feet of gas to escape and be blown into the air each day and millions of barrels of oil to become unrecoverable to the great present and future detriment of the natural gas and oil resources of the State, and the fact that there is not provided by the existing law any effective method to accomplish ratable production of gas from gas wells producing from a common reservoir, has created an emergency and an imperative public necessity demanding the suspension of the constitutional rule, requiring bills to be read on three separate days in each house, and said rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted."

Mr. Stanfield offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 266 by striking out Section 10 and insert in lieu thereof the following:

"Section 4-a. Whenever the Commission enters an order restricting the production and use of natural gas for any field or common source of supply of natural gas, as provided for in Section 4 hereof, it shall be the duty of the Commission, after notice and hearing, to ascertain and determine the reasonable market demand for light and fuel uses from such gas

from such field and other purposes set forth in this Act. Thereupon the Commission, in its order, shall restrict the production from all wells in said field, producing natural gas suitable for use as light and fuel, so that the total allowable production from said well shall be equal to and sufficient to supply said market demand for light and fuel purposes as found by the Commission. In such order the Commission shall allocate, distribute, or apportion the total allowable production from such common source of supply among the various wells on a reasonable basis. In making such allocation the Commission may take into account any factor which may be pertinent in making a fair and equitable apportionment. Among other things, the Commission may consider the relative producing capacity of the various wells involved, the rock pressures of same, and the amount of producing acreage owned by various producers around their wells, but, in the event acreage is considered, such acreage shall be considered only up to the reasonable and efficient drainage area of any given well."

The amendment was adopted.

Mr. Caldwell offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 266 by striking out Section 3 and insert in lieu thereof the following:

"After the expiration of 10 days from the time of encountering gas in a gas well, no gas from such well shall be permitted to escape in the air. The use of gas from such a well is hereby prohibited for any purposes other than light or fuel or efficient chemical manufacturing purposes including the manufacture of carbon black, or for introduction into an oil or gas producing stratum for the purpose of increasing or maintaining the rock pressure thereof, or increasing the ultimate recovery of oil and/or gas; provided, that any gas used in the manufacture of carbon black must be so utilized in plants having a recovery efficiency of not less than one pound of carbon black to each one thousand (1,000) cubic feet of gas; and provided further that such gas may have its natural gasoline content extracted therefrom before same is used for any purpose hereinabove permitted. Nothing in this Act shall

be construed so as to prohibit any producer of gas from using same as gas lift in the bona fide production of oil where such gas is not used in excess of 10,000 cubic feet per barrel of oil."

Strike out the following clause: "whether sweet or sour," appearing in the third line from the beginning of Section 12, page 9."

Mr. Latham moved to table the amendment by Mr. Caldwell.

The motion to table prevailed.

Mr. Hill offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 266 by adding the following to be known as Section —, and number the following Section accordingly:

"Section —. This Act shall not apply to the residue or tail gas from a gasoline plant resulting from the processing of not to exceed 25 per cent of the open flow of gas from gas wells, which said gas is produced from a depth of 6,000 feet, or more, below the surface of the earth, and coming from a strata not connected with a producing oil field, and contains distillate from which gasoline, kerosene, naphtha and gas oil are manufactured and when no market is available for said residue or tail gas."

(Pending consideration of the amendment, Mr. Butler of Brazos occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Roberts moved to table the amendment by Mr. Hill.

The motion to table prevailed.

The committee amendment, as amended, was then adopted.

Mr. Stanfield offered the following committee amendment to the bill:

Amend House Bill No. 266 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL

To Be Entitled

An Act declaring the public policy of the State of Texas with reference to the conservation, production, transporting and marketing of natural gas and oil; amending Article 6008 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 26, Section 2, Acts of

the First Called Session of the Forty-second Legislature, as amended by Chapter 100, Section 1, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 88, Section 1, Acts of the First Called Session of the Forty-third Legislature; defining certain terms as used in this Act; providing that nothing in this Act shall repeal or limit the authority of the Railroad Commission to establish gas-oil ratios for oil wells; providing that if oil and or gas be produced through different strings of casing set in the same well bore, that each string of casing shall be deemed as a separate well; providing that no person shall produce from such a well natural gas found in a horizon productive of natural gas only; prescribing the uses for which natural gas may be used; providing that the natural gasoline content may be extracted from natural gas before it is used for such purposes, prescribing the minimum efficiency of plants manufacturing carbon black; providing that gas shall not be produced from any gas well in excess of twenty-five per cent (25%) of its natural open flow; providing that the rate of production shall be based on the average daily rate of production for the calendar or fiscal year; authorizing the making of agreements by and between the lessors, lessees, operators, or other persons, firms, or corporations, with the approval of the Attorney General of the State of Texas for the co-operative development, operation, production, marketing, and repressuring of gas, or for the purpose of equitable distribution of royalty payments; providing for the determination through appropriate tests to be made by the Railroad Commission at certain times, the open flow and rock pressure of each gas well and for the filing of reports thereof; providing that the Railroad Commission shall furnish one of its duly authorized agents to inspect, read, or test any meter, or meters, at the request of certain persons; declaring the conserving of natural gas to be a part of the conservation policy of this State; declaring the blowing or allowing to escape into the air of natural gas from a gas well whether such gas be burned as it escapes or not,

or permitting such to be done or likewise using or permitting the use of gas contrary to the provisions of this Act to be waste and prohibiting such waste; authorizing the Railroad Commission to make reasonable rules and regulations for the ratable production of natural gas when the total production from gas wells producing from a common reservoir shall be in excess of the total market outlet for lawful production as in this Act provided; providing that the Railroad Commission may make reasonable rules and regulations requiring the making of additional connections to gas wells for distributors, purchasers, and consumers; prescribing the method of allocating for daily allowable to gas wells and the formula upon which such allocation shall be based; providing that if both sweet and sour gas be produced from the same common reservoir, that the area producing sweet gas and the area producing sour gas, respectively, shall be deemed to be separate common reservoirs; providing that the Railroad Commission shall enter formal orders allocating the daily allowable to each gas well in the common reservoir; providing that it shall be unlawful for any person to produce from any gas well any quantity of gas in excess of the quantity allocated to such well; providing a marginal limitation below which production from a gas well may not be restricted; providing that no producer or owner of natural gas shall be required to sell such gas for less than a reasonable price and authorizing the Railroad Commission to determine what is a reasonable price in the event of a controversy, and providing for additional allowable for other wells in the event a deficiency in the total allowable occurs by virtue of the refusal of the owner to accept the price determined by the Railroad Commission to be reasonable; providing for the holding of hearings at certain intervals by the Railroad Commission; providing for appeals to be taken from any finding, order, rule, or regulation promulgated by the Railroad Commission; prescribing penalties for the violation of any provision of this Act, and for the recovery of such penalty, and

for the enjoining of any violation or threatened violations of this Act; repealing all laws or parts of laws in conflict with any provisions of this Act; providing that if any of the provisions of this Act are held to be invalid or unconstitutional that it shall not affect any of the remaining provisions; and declaring an emergency."

The amendment was adopted.

House Bill No. 266 was then passed to engrossment.

HOUSE BILL NO. 266 ON THIRD READING

Mr. Stanfield moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 266 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—135

Adamson	Farmer
Adkins	Fisher
Aikin	Fitzwater
Alexander	Ford
Alsup	Fox
Ash	Frazer
Atchison	Fuchs
Beck	Gibson
Bergman	Glass
Bourne	Good
Bradbury	Gray
Bradford	Greathouse
Broyles	Hankamer
Burton	Hanna
Butler of Brazos	Hardin
Cagle	Harris of Archer
Caldwell	Hartzog
Calvert	Hill
Canon	Hodges
Clayton	Hofheinz
Collins	Holland
Colquitt	Hoskins
Colson	Howard
Cowley	Huddleston
Craddock	Hunt
Crossley	Hunter
Daniel	Hyder
Davis	Jackson
Davison of Fisher	James
Davisson	Jefferson
of Eastland	Jones of Atascosa
Dickison	Jones of Falls
Dunagan	Jones of Runnels
Dunlap of Hays	Jones of Shelby
Dunlap of Kleberg	Jones of Wise
Duvall	Keefe
Dwyer	King
England	Knetsch
Fain	Lange

Lanning	Roane
Latham	Roark
Leath	Roberts
Lemens	Rogers
Leonard	Russell
Lindsey	Rutta
Lucas	Scarborough
Luker	Settle
McCalla	Shofner
McConnell	Smith
McFarland	Spears
McKinney	Stanfield
Moffett	Steward
Moore	Stinson
Morris	Stovall
Morrison	Tarwater
Morse	Tennyson
Newton	Thornton
Nicholson	Tillery
Padgett	Venable
Palmer	Waggoner
Patterson	Walker
Payne	Wells
Petsch	Westfall
Quinn	Wood of Harrison
Reed of Bowie	Wood of Montague
Reed of Dallas	Worley
Riddle	Young
Roach of Angelina	Youngblood

Nays—2

Cooper Lotief

Absent

Butler of Karnes	Herzik
Celaya	McKee
Graves	Olsen
Harris of Dallas	Pope

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

The Speaker then laid House Bill No. 266 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—137

Adamson	Cagle
Adkins	Caldwell
Aikin	Calvert
Alexander	Canon
Alsup	Clayton
Ash	Collins
Atchison	Colquitt
Beck	Colson
Bergman	Cooper
Bourne	Cowley
Bradbury	Craddock
Broyles	Crossley
Burton	Daniel
Butler of Brazos	Davis
Butler of Karnes	Davison of Fisher

Davisson	Lindsey
of Eastland	Lucas
Dickison	Luker
Dunagan	McCalla
Dunlap of Hays	McConnell
Dunlap of Kleberg	McFarland
Duvall	McKinney
Dwyer	Moffett
England	Moore
Fain	Morris
Farmer	Morrison
Fisher	Morse
Fitzwater	Newton
Ford	Nicholson
Fox	Olsen
Frazer	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Payne
Good	Petsch
Gray	Pope
Greathouse	Quinn
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Riddle
Harris of Archer	Roach of Angelina
Hartzog	Roane
Hill	Roark
Hodges	Roberts
Hofheinz	Rogers
Holland	Russell
Hoskins	Rutta
Howard	Scarborough
Huddleston	Settle
Hunt	Shofner
Hunter	Smith
Hyder	Spears
Jackson	Stanfield
James	Steward
Jefferson	Stinson
Jones of Atascosa	Stovall
Jones of Falls	Tarwater
Jones of Runnels	Tennyson
Jones of Shelby	Thornton
Jones of Wise	Tillery
Keefe	Venable
King	Waggoner
Knetsch	Walker
Lange	Wells
Lanning	Westfall
Latham	Wood of Harrison
Leath	Wood of Montague
Lemens	Worley
Leonard	Youngblood

Present—Not Voting

Bradford Lotief

Absent

Celaya Herzik
 Graves McKee
 Harris of Dallas Young

Absent—Excused

Head Reader
 Mauritz Roach of Hunt

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, March 27, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. J. R. No. 18, Proposing an amendment to Section 48, Article III of the Constitution of the State of Texas, authorizing the establishment of Teachers' Retirement Systems, and making an appropriation for the election.

The Senate has refused to adopt the conference committee report on House Bill No. 779 and requests the appointment of a new conference committee to adjust the differences. The following have been appointed on the part of the Senate: Senators Rawlings, Hill, Holbrook, Burns, Stone.

The Senate has passed

H. B. No. 569, A bill to be entitled "An Act authorizing the commissioners court in the county or counties containing 22,296 and not more than 22,580 inhabitants, according to the last Federal Census, to purchase out of certain funds of the county, one truck or pick-up for each commissioner precinct, to be used in said precinct in the official duty of commissioner or commissioners, providing that said truck or pick-up shall not be used by commissioner, commissioners, or anyone else for personal business or pleasure trips, and declaring an emergency."

H. B. No. 417, A bill to be entitled "An Act making appropriations to pay salaries to judges, and for the support and maintenance of the judicial department of the State Government for the two (2) year period beginning September 1, 1935, and ending August 31, 1937; requiring certain fees paid to clerks or officers of all appellate courts to be deposited monthly in the State Treasury, and that certain fees be retained by said clerks or officers as additional compensation for their services, etc., and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,
 Secretary of the Senate.

SENATE JOINT RESOLUTION ON FIRST READING

The following Senate joint resolution, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Joint Resolution No. 18, to the Committee on Constitutional Amendments.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 519, "An Act making an appropriation of six thousand five hundred dollars (\$6,500) to be used by the Secretary of State in paying the unpaid portion of the publication cost of certain constitutional amendments; one thousand five hundred dollars (\$1,500) for postage and contingent to be used by the Secretary of State; five thousand dollars (\$5,000) for the Secretary of State's office to be used for compiling, editing, printing, indexing, and distributing the General and Special Laws and for the distribution of the Journals of the Forty-fourth Legislature, etc., and declaring an emergency."

H. B. No. 569, "An Act authorizing the commissioners court in the county or counties containing 22,296 and not more than 22,580 inhabitants, according to the last Federal Census, to purchase out of certain funds of the county, not to exceed seven hundred and fifty dollars (\$750), one truck or pick-up for each commissioner precinct, to be used in said precinct in the official duty of commissioner or commissioners, providing that said truck or pick-up shall not be used by commissioner, commissioners, or anyone else for personal business or pleasure trips, and declaring an emergency."

HOUSE BILL NO. 417 WITH SENATE AMENDMENTS

Mr. Leonard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 417, A bill to be entitled "An Act making appropriations to pay salaries to judges, and for the support and maintenance of the Judi-

cial Department of the State Government for the two (2) year period beginning September 1, 1935, and ending August 31, 1937; requiring certain fees paid to clerks or officers of all appellate courts to be deposited monthly in the State Treasury, and that certain fees be retained by said clerks or officers as additional compensation for their services, etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Leonard moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee:

Messrs. Leonard, Graves, Atchison, Frazer, and Wood of Montague.

NOTICE GIVEN

Mr. Shofner gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 163, which bill was heretofore laid on the table subject to call.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 779

On motion of Mr. McKee, the House granted the request of the Senate for the appointment of a conference committee on House Bill No. 779.

In accordance with the above action, the Speaker announced the appointment of conference committee heretofore appointed on House Bill No. 779.

CHANGE IN COMMITTEE ANNOUNCED

The Speaker announced the appointment of Mr. Steward and Mr. Lemens as members of the committee to make inspection trip to Ellis County to inspect property in regard to the establishment of certain State institution, instead of Mr. Reader and Mr. Gray.

HOUSE BILL NO. 781 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 781, A bill to be entitled "An Act making appropriations to pay the salaries and wages of officers and employes of the eleemosynary institutions of the State and the Alabama and Coushatti Indians and for other expenses of maintaining and operating them for the two (2) fiscal years beginning September 1, 1935, and ending August 31, 1937, as follows, to wit: Abilene State Hospital; Alabama and Coushatti Indians; Austin State Hospital; Austin State School; Colored Orphans Home, Gilmer; Confederate Home; Confederate Woman's Home; Deaf, Dumb, and Blind Institute for Colored Youths; Girls' Training School; Home of Dependent and Neglected Children; State Hospital for Crippled and Deformed Children, at Galveston; State Juvenile Training School; State Orphans Home; Rusk State Hospital; San Antonio State Hospital; Galveston State Psychopathic Hospital; Terrell State Hospital; State Tuberculosis Sanatorium; Wichita Falls State Hospital; Texas School for the Blind at Austin; Texas School for the Deaf at Austin, and declaring an emergency."

The bill was read second time.

Question—Shall House Bill No. 781 pass to engrossment?

HOUSE BILL NO. 71 ON THIRD READING

Mr. Dunagan moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 71 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Adamson	Collins
Alexander	Colquitt
Alsup	Colson
Atchison	Cooper
Bergman	Cowley
Bourne	Craddock
Bradbury	Crossley
Bradford	Daniel
Broyles	Davis
Burton	Davison of Fisher
Butler of Brazos	Davison
Butler of Karnes	of Eastland
Cagle	Dickison
Caldwell	Dunagan
Calvert	Dunlap of Hays
Canon	Duvall
Clayton	Dwyer

England	Luker
Fisher	McCalla
Fitzwater	McConnell
Ford	McFarland
Fox	McKinney
Frazer	Moffett
Fuchs	Moore
Glass	Morris
Good	Morrison
Gray	Morse
Hankamer	Newton
Hanna	Olson
Harris of Archer	Padgett
Harris of Dallas	Patterson
Hartzog	Petsch
Hill	Quinn
Hodges	Reed of Dallas
Hofheinz	Riddle
Holland	Roach of Angelina
Hoskins	Roane
Howard	Roark
Hunt	Rogers
Hunter	Russell
Jackson	Rutta
James	Scarborough
Jefferson	Settle
Jones of Atascosa	Shofner
Jones of Falls	Smith
Jones of Runnels	Spears
Jones of Wise	Steward
Keefe	Stinson
King	Tennyson
Knetsch	Thornton
Lange	Tillery
Lanning	Venable
Latham	Waggoner
Leath	Wells
Lindsey	Westfall
Lotief	Young
Lucas	Youngblood

Nays—18

Adkins	Lemens
Aikin	Palmer
Fain	Payne
Farmer	Reed of Bowie
Gibson	Stovall
Greathouse	Tarwater
Hardin	Walker
Huddleston	Wood of Harrison
Jones of Shelby	Wood of Montague

Absent

Ash	Leonard
Beck	McKee
Celaya	Nicholson
Dunlap of Kleberg	Pope
Graves	Roberts
Herzik	Stanfield
Hyder	Worley

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

The Speaker then laid House Bill No. 71 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—77

Adamson	Hunter
Alexander	Hyder
Atchison	Jackson
Bourne	Jefferson
Burton	Jones of Falls
Butler of Brazos	Jones of Wise
Butler of Karnes	King
Cagle	Knetsch
Calvert	Lange
Clayton	Leath
Collins	Lemens
Colquitt	McCalla
Colson	McFarland
Cooper	McKinney
Cowley	Moffett
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morse
Dickison	Newton
Dunagan	Padgett
Dunlap of Hays	Patterson
Dunlap of Kleberg	Payne
Duvall	Petsch
Dwyer	Quinn
England	Reed of Dallas
Fisher	Riddle
Ford	Roane
Fox	Roark
Frazer	Scarborough
Fuchs	Settle
Hankamer	Shofner
Hanna	Smith
Harris of Dallas	Spears
Hartzog	Steward
Hill	Stinson
Hofheinz	Waggoner
Holland	Westfall
Hoskins	Young
Howard	Youngblood

Nays—51

Adkins	Good
Aikin	Greathouse
Alsup	Hardin
Beck	Harris of Archer
Bradbury	Hodges
Bradford	Huddleston
Broyles	Hunt
Canon	James
Craddock	Jones of Atascosa
Crossley	Jones of Runnels
Daniel	Jones of Shelby
Davis	Keefe
Fain	Lanning
Farmer	Latham
Fitzwater	Lindsey
Gibson	Lotief
Glass	Lucas

McConnell	Tarwater
Morrison	Tennyson
Reed of Bowie	Tillery
Roach of Angelina	Venable
Rogers	Walker
Russell	Wells
Rutta	Wood of Harrison
Stanfield	Wood of Montague
Stovall	

Absent

Ash	McKee
Bergman	Nicholson
Caldwell	Olsen
Celaya	Palmer
Graves	Pope
Gray	Roberts
Herzik	Thornton
Leonard	Worley
Luker	

Absent—Excused

Head	Reader
Mauritz	Roach of Hunt

ADJOURNMENT

Mr. Reed of Bowie moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Moffett moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Quinn moved that the House adjourn until 9 o'clock a. m., tomorrow.

Mr. Leath moved that the House recess to 10 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Reed of Bowie, it prevailed, and the House, accordingly, at 5:20 o'clock p. m., adjourned until 10 o'clock a. m., Thursday, March 28.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on State Affairs filed a favorable report on House Bill No. 679.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 327, A bill to be entitled "An Act appropriating five million dollars (\$5,000,000) per year, or so much thereof as may be necessary, for the next biennium beginning September 1, 1935, and ending August 31, 1937, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, including sufficient funds to match Federal funds appropriated for the purpose of conducting vocational agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children; attaching conditions, regulations, and limitations relative thereto, etc., and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, March 27, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 519, "An Act making an appropriation of six thousand five hundred dollars (\$6,500) to be used by the Secretary of State in paying the unpaid portion of the publication cost of certain constitutional amendments; one thousand five hundred dollars (\$1,500) for postage and contingent to be used by the Secretary of State; five thousand dollars (\$5,000) for the Secretary of State's office to be used for compiling, editing, printing, indexing, and distributing the General and Special Laws and for the distribution of the Journals of the Forty-fourth Legislature; also appropriating the sum of five hundred dollars (\$500) to be used by the State Industrial Accident Board to supplement traveling expenses; also appropriating the sum of nine hundred dollars (\$900) to be used by the State Department of Agriculture to pay salary and expenses of a weight inspector, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

Committee Room,

Austin, Texas, March 27, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 569, "An Act authorizing the commissioners court in the county or counties containing twenty-two thousand two hundred and ninety-six (22,296) and not more than twenty-two thousand five hundred and eighty (22,580) inhabitants, according to the last Federal Census, to purchase out of certain funds of the county, not to exceed seven hundred and fifty dollars (\$750), one truck or pick-up for each commissioner precinct to be used in said precinct in the official duty of commissioner or commissioners, providing that said truck or pick-up shall not be used by commissioner, commissioners, or anyone else for personal business or pleasure trips, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

FORTY-FIRST DAY

(Thursday, March 28, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Hon. R. Emmett Morse.

The roll was called, and the following members were present:

Adamson	Colquitt
Adkins	Colson
Aikin	Cooper
Alexander	Cowley
Alsup	Craddock
Ash	Crossley
Atchison	Daniel
Beck	Davis
Bergman	Davison of Fisher
Bradbury	Davisson
Bradford	of Eastland
Broyles	Dickison
Burton	Dunagan
Butler of Brazos	Dunlap of Hays
Butler of Karnes	Dunlap of Kleberg
Cagle	Duvall
Caldwell	Dwyer
Calvert	England
Canon	Fain
Celaya	Farmer
Clayton	Fisher
Collins	Fitzwater